

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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CHRISTOPHER GOODVINE,

Plaintiff,

v.

CAPTAIN JOHNSON,  
LT. SCHOENBERG,  
LT. STRUPP and  
T. BITTLEMAN,

Defendants.

ORDER

06-cv-491-bbc

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Plaintiff Christopher Goodvine seeks a petition for a writ of habeas corpus ad testificandum for two prisoners: Greg Phillips, #300827 and Manuel Williams, #303943, both of whom plaintiff says are incarcerated at the Columbia Correctional Institution in Portage, Wisconsin. Plaintiff's request will be granted. His underlying claim is that defendants violated his Eighth Amendment rights by leaving him in an unsanitary cell even after he complained to them about his conditions. In his affidavit, plaintiff represents that both Phillips and Williams were in the cell across from him for part of the time at issue in this case, that they viewed the conditions of his cell, that they overheard plaintiff complain to defendants and they have agreed to testify voluntarily. However, he says that neither

witness will be able to tell the whole story on his own because both were in the cell across from plaintiff only part of the time: Phillips was there for the first part of plaintiff's stay and Williams was there for the second part. Because it appears that the witnesses' testimony is relevant and not cumulative, I will grant plaintiff's request to bring these witnesses to trial.

ORDER

IT IS ORDERED that plaintiff Christopher Goodvine's petition for writs of habeas corpus, dkt. #149, is GRANTED. The Clerk of Court is directed to issue a writs of habeas corpus ad testificandum for the attendance of Greg Phillips, #300827 and Manuel Williams, #303943 at trial beginning on February 23, 2009. Plaintiff represents that these witnesses are incarcerated at the Columbia Correctional Institution in Portage, Wisconsin.

Entered this 5<sup>th</sup> day of February, 2009.

BY THE COURT:

/s/

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BARBARA B. CRABB  
District Judge